Nathan Paco(151490) LAW OFFICES OF NATHAN PACO 1419 Burlingame Ave., 2nd Floor Burlingame, CA 94010

Phone: 650.343.1371 Fax: 650.343.7979

Attorney for Plaintiffs

25 26

27 28

29 30

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA

GEORGE LOUIS PEREZ, JR., JANICE L.

Plaintiffs,

VS.

VESSEL ASSIST, PHIL DELANO, et al.,

Defendants.

Case No.: C 06-02585 EDL

PLAINTIFFS' REQUEST FOR CONTINUANCE OF INITIAL CASE MANAGEMENT CONFERENCE TO **OCTOBER 31, 2006,** OR THEREAFTER, IN LIEU OF JOINT CASE MANAGEMENT STATEMENT; NATHAN PACO'S DECLARATION IN SUPPORT OF REQUEST AND PROPOSED ORDER

Date: August 29, 2006 Time: 10:00 a.m.

Courtroom: E, 15th Floor

Judge: Honorable Elizabeth D. Laporte

I NATHAN PACO declare as follows:

- 1. I am the attorney for the plaintiffs in this action and I am duly licensed to practice in all of the courts in the northern district of the State of California;
- 2. The following statements are made upon my personal knowledge except as to those indicated made upon information and belief and if called to testify can competently testify to those matters.
- 3. The plaintiffs had difficulty serving the defendants because some of them are located on an island and some of the others are located in other states.
- 4. Finally, we were able to get the insurance company that represents all of the defendants to accept service for all of the defendants (attached hereto as Exhibit "A" is a true and correct copy of the Defendants' Acknowledgment of Receipt).

Casca3e06:06-025885-85DEDLDocumentrat 5 Fileed 088/258/2000 6 Page 2 9 2 4 of 4

1	a. According to the Notice and Acknowledgment of Receipt, the defendants have		
2	until September 26, 2006 to file their responsive pleading. b. Therefore, the plaintiffs request that the initial case management conference be continued to October 31, 2006, or a date thereafter.		
3			
4	I declare under penalty of perjury that the foregoing statements are true and correct.		
5			
6	Dated: August 25, 2006 Nathan Paco, attorney for plaintiffs		
7	Tallian Fase, allerney for planting		
8	ORDER		
9	IT IS HEREBY ORDERED that the first case management conference scheduled for		
10	August 29, 2006 is continued to October 31, 2006 before Magistrate Judge Laporte in		
11	Courtroom E, 15th floor, United States Courthouse, 450 Golden Gate Ave., San Francisco,		
12	California. A joint case management statement shall be filed no later than October 24, 2006. No further continuances will be granted absent a showing of good cause.		
13	A 420 2006		
14	ELIZABETADO. LAPORTA		
15	United State IT IS SO ORDERED UDGE AS MODIFIED AS MODIFIED		
16	Judge Elizabeth D. Laporte		
17			
18	DISTRICTOR		
19			
20			
21			
22			
23			
24			
25			
26			
20 27			
28			
29			
30			
	i		

212-859-3270

	POS-015
ATTORNEY OR PARTY WITHOUT ATTORNEY (Munic State Bar Autribur, and additions);	FOR COURT USE ONLY
-Nathan Paco (151490) Law Ofices of Nathan Paco 1419 Burlingame Aye., 2nd Floor Burlingame, CA 94010 Email Address (Consume): 650:343,1371 Email Address (Consume): Altonney For (Name): Plaintiffs	
BYREET ADDRESS. United States District Court MAILING ADDRESS. 450 Golden Gate Ave., 16th Floor CITY AND ZIP CODE. San Francisco, CA 94102 BRANCH NAME. Northern District of California	
PLAINTIFF/PETITIONER: GEORGE LOUIS PEREZ, JR., JANICE L, PELLIZAR DEFENDANT/RESPONDENT: VESSEL ASSIST, PHIL DELANGE, GARY BURKS, BOAT U.S. TOWING SERVICES	
NOTICE AND ACKNOWLEDGMENT OF RECEIPT-CIVIL	CASE NUMBER: C 08 2585

PHIL DELANGE TO (insort name of party being served): NESSEL <u>servjees</u>

NOTICE

The summons and other documents identified below are being served pursuant to section 415.30 of the California Code of Civil Procedure. Your failure to complete this form and return it within 20 days from the date of mailing shown below may subject you (or the party on whose behalf you are being served) to liability for the payment of any expenses incurred in serving a summons on you in any other manner permitted by law.

If you are being served on behalf of a corporation, an unincorporated association (including a partnership), or other entity, this form must be signed by you in the name of such entity or by a person authorized to receive service of process on behalf of such entity. In all other cases, this form must be signed by you personally or by a person authorized by you to acknowledge receipt of summons. If you return this form to the sender, sorvice of a summons is deemed complete on the day you sign the acknowledgment of receipt below.

Date of mailing:

NATHAN PACO, ATTORNEY AT LAW

STYPE OR PRINT NAME)

ISIGNATURE OF BENDER-MUST NOT BE THATTH THIS CASE

ACKNOWLEDGMENT OF RECEIPT

This acknowledges receipt of (to be completed by sender before meiling):

- 1. A copy of the summons and of the complaint
- 2. Other (apacity)
 - 1. NOTICE OF CASE MANAGEMENT HEARING
 - 2. ADR PACKET

- 3. NOTICE & ACKNOWLEDGEMENT OF RECEIPT (2)
- 4 ENVELOPES-2

(To be completed by recipient):

Date this form is signed: 816

A PRINT YOUR NAME AND NAME OF ENTITY. ON WHOSE BEHALF THIS FORM IS SIGNED!

Form Adopted for Mandatory Use Judicial Council of California POS-012 (Rev. January 1, 2005)

NOTICE AND ACKNOWLEDGMENT OF RECEIPT - CIVIL

EXHIBIT

M9 88:1 8005 , At Vlut , yabit?

1 PROOF OF SERVICE I am a citizen of the United States and am employed in the County of San Mateo; I am 2 over the age of eighteen years and not a party to the within action; my business address is 1419 3 Burlingame Ave., 2nd Floor, Burlingame, CA. On the date shown below, I served the following: 4 PLAINTIFFS' REQUEST FOR CONTINUANCE OF INITIAL CASE MANAGEMENT CONFERENCE TO OCTOBER 31, 2006, OR THEREAFTER, IN LIEU OF JOINT CASE MANAGEMENT STATEMENT; NATHAN PACO'S 5 **DECLARATION IN SUPPORT OF REQUEST AND PROPOSED ORDER** on the parties in said action by placing a true copy thereof, enclosed in a sealed envelope 6 (except when served by facsimile transmission) addressed as follows: 7 Winsome K. Green 8 ST. PAUL FIRE & MARINE INS CO 233 Broadway, 26Th Floor 9 NEW YORK, NY 10279 10 FAX:1.212.504.0776 Addresses continued on attached page. 11 The following is/are the procedure(s) by which service of the document(s) was/were 12 effected: 13 X U.S. Postal Services, by placing copy(ies) in a sealed envelope with postage 14 thereon fully prepaid, in the United States mail at Burlingame, CA. 15 Personal Service. I caused each envelope to be delivered by hand to the addressee(s) noted above. 16 17 X By Facsimile Transmission. I caused the document(s) to be transmitted by 18 facsimile to the number indicated after the address(es) noted above. I declare under penalty of perjury under the laws of the State of California that the 19 foregoing is true and correct. 20 DATED: August 25, 2006 21 22 Nathan Paco 23 24 25 26 27 28

PEREZ Proof of Service-Master